

**TOWN COUNCIL
SPECIAL MEETING
OCTOBER 28, 2005**

The meeting was called to order at 12:05 pm. Present at the meeting were Mayor Truex, Vice-Mayor Hubert, and Councilmembers Paul and Starkey. Also present were Assistant Town Administrator Cohen, Town Attorney Kiar and Town Clerk Muniz recording the meeting. Councilmember Crowley was absent.

Resolutions

1.
R-2005-276 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REQUESTING GOVERNOR BUSH TO EXERCISE HIS POWERS UNDER FLORIDA STATUTES CHAPTER 252 AND TO DIRECT AND COMPEL THE EVACUATION OF ALL RESIDENTS RESIDING IN MOBILE HOMES DEEMED TO BE UNINHABITABLE IN DESIGNATED MOBILE HOME COMMUNITIES LOCATED IN THE TOWN OF DAVIE AND PROVIDING FOR AN EFFECTIVE DATE.

2.
R-2005-277 A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, REQUESTING GOVERNOR BUSH TO EXERCISE HIS POWERS UNDER FLORIDA STATUTES CHAPTER 252 AND TO PROVIDE ALL NECESSARY PROVISIONS, INCLUDING, BUT NOT LIMITED TO, FOOD AND ADEQUATE HOUSING TO ALL RESIDENTS RESIDING IN MOBILE HOMES DEEMED TO BE UNINHABITABLE IN DESIGNATED MOBILE HOME COMMUNITIES LOCATED IN THE TOWN OF DAVIE AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Starkey provided an update on information she received from Representative Susan Goldstein. Mayor Truex inquired how Governor Bush would receive the resolution in a timely manner. Councilmember Starkey responded that she would fax it or get it to Representative Goldstein by 2:00 p.m. Mr. Cohen advised that Fire Chief Don DiPetrillo would be utilizing his contacts to get it to Governor Bush. Mayor Truex felt these resolutions should be released to the media as soon as possible. He inquired if photos or other documentation could be sent up along with the resolutions to help illustrate the extent of the damage. Development Services Director Mark Kutney spoke of electronic files that would need to be compiled. He felt that these could be sent a day after the resolutions were sent to Tallahassee.

Vice-Mayor Hubert asked where the residents who were evacuated would be sent. Fire Chief DiPetrillo spoke of ongoing discussions with FEMA about relocating these residents and their needs.

Vice-Mayor Hubert questioned how the schools would be opened if the evacuated residents were still there. Police Chief John George indicated that this was the current plan and Broward County School Superintendent Dr. Till would not make a decision on the status of school openings until October 30th. Vice-Mayor Hubert asked if Nova Southeastern University had been contacted about using their facilities as temporary shelters. She expressed concern that the affected residents would not want to leave their homes unless they knew exactly where they were going to be relocated to and for how long.

Councilmember Starkey asked if there was liability assumed by the Town if these two resolutions were adopted. Attorney Andre Parke stated that Building Official Bill Hitchcock would still have to designate which structures were unsafe. Attorney Martin Kiar opined that these resolutions made it less likely for the Town to be liable as the action would come from Governor Bush not the Town.

Councilmember Paul wanted a commitment from FEMA prior to Section 1 on item 1 being in place. She felt the system to provide assistance was already in place and did not think it was prudent to promise residents something that the Town could not provide. Councilmember Paul indicated that it was the Town's responsibility to inform the residents of the aid provided by the State and Federal government. Chief George felt that the resolutions did not ask for anything that would be adverse to the residents, it merely sought assistance from Governor Bush. Attorney Martin Kiar agreed and felt that Governor Bush had the final say as these resolutions asked for his power in assistance. Mayor Truex felt it was important for the Town not to reinvent the wheel as far as the services FEMA provides.

Councilmember Starkey made a motion, seconded by Mayor Truex, to approve resolutions 1 and 2. In a voice vote, with Vice-Mayor Hubert dissenting and Councilmember Crowley absent, all voted in favor. (Motion carried 3-1)

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3. Sunrise Water & Sewer Issue

Town Engineer Larry Peters gave a brief report on the sewage problem that was occurring because of the City of Sunrise's failure to power the pump stations. Councilmember Paul spoke of a conversation between Sunrise and a homeowner's association in which the homeowner's association was told that they were to disconnect caps from the front of their homes to allow the waste into their yards, which would prevent the sewage from backing up into their homes and asked if this was true. Utilities Director Daniel Colabella stated that it was and removing the cap helped relieve the pressure on the sewer line. Councilmember Paul felt that Sunrise's lack of effort was more of a political issue.

Mr. Peters complained about the infrastructure that was being placed into the ground by developers and being given away by the Town as Sunrise was assuming ownership and the Town was doing nothing to stop it. Mayor Truex advised that this was the topic for a different meeting. Councilmember Starkey suggested that a media blitz be launched illustrating the problem that residents were faced with and that the Town loan Sunrise the generators necessary to bring the pump stations online and eliminate the backups on those affected areas.

4. Curfew

Chief George spoke of the original need for the curfew and the possible need to amend the language. Councilmember Starkey indicated her support for any language he wanted. Councilmember Paul felt having a different curfew than the County would be confusing for the residents. Vice-Mayor Hubert complained about roving packs of kids in her neighborhood.

Councilmember Paul made a motion, seconded by Mayor Truex, to change the resolution so that it remains in synch with Broward County and is not time specific. In a voice vote, with Councilmember Crowley absent, all voted in favor. (Motion carried 4-0)

5. General Hurricane Safety Issues

Councilmember Paul spoke of a family member of a mobile home resident who was out of the country. The family member was barred from entering the park to collect the residents' belongings from the home. Mayor Truex asked that the Police Department create a policy to address this issue.

Councilmember Paul read aloud accolades she received from Ivanhoe residents about the Town's Police personnel.

Councilmember Starkey wanted to know how long, how much, and where is FEMA or other types of relief. Human Resources Director Mark Alan gave updates on water, ice, and food deliveries. Councilmember Starkey asked about Salvation Army feeding stations. Mr. Alan spoke of the locations that were being served. Each of the ESF Directors provided an update on their operations.

6. Future Special Meetings

Mayor Truex spoke of the need for a special meeting on October 31st to be held at the Police Department Community Room. The items to be discussed were: 1) discussion of private road resolutions; 2) update on Sunrise water and sewer issue; and 3) general hurricane safety issues.

7. Adjournment

There being no further business to discuss and no objections, the meeting was adjourned at 1:15 p.m.

Approved _____

Mayor/Councilmember

Town Clerk